

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

JOSHUA LANDERS,

Petitioner,

v.

NORM ROBINSON, Warden,  
London Correctional Institution,

Respondent.

:

Case No. 3:18-cv-175

JUDGE WALTER H. RICE

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DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE  
JUDGE'S SUBSTITUTED REPORT AND RECOMMENDATIONS (DOC.  
#28) AND SUPPLEMENTAL REPORT AND RECOMMENDATIONS  
(DOC. #33); OVERRULING PETITIONER'S OBJECTIONS THERETO  
(DOCS. ##31, 36); DISMISSING PETITION UNDER 28 U.S.C.  
§ 2254 FOR WRIT OF HABEAS CORPUS (DOC. #1) WITH  
PREJUDICE; JUDGMENT TO ENTER IN FAVOR OF RESPONDENT  
AND AGAINST PETITIONER; DENYING CERTIFICATE OF  
APPEALABILITY AND LEAVE TO APPEAL *IN FORMA PAUPERIS*;  
TERMINATION ENTRY

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Based on the reasoning and citations of authority set forth by United States  
Magistrate Judge Michael R. Merz in his Substituted Report and Recommendations,  
Doc. #28, and his Supplemental Report and Recommendations, Doc. #33, as well  
as upon a thorough *de novo* review of this Court's file and the applicable law, the  
Court ADOPTS said judicial filings in their entirety.

Petitioner's Objections to the Substituted Report and Recommendations,  
Doc. #31, are OVERRULED for the reasons set forth in the Supplemental Report  
and Recommendations, Doc. #33. Petitioner's Objections to the Supplemental

Report and Recommendations, Doc. #36, simply re-hash his earlier Objections and are OVERRULED as meritless for the reasons already thoroughly explained by Magistrate Judge Merz.

The Court DISMISSES the Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus, Doc. #1, WITH PREJUDICE.

Given that Petitioner has not made a substantial showing of the denial of a constitutional right and, further, that the Court's decision herein would not be debatable among reasonable jurists, and because any appeal from this Court's decision would be objectively frivolous, Petitioner is denied a certificate of appealability, and is denied leave to appeal *in forma pauperis*.

Judgment will be entered in favor of Respondent and against Petitioner.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: March 3, 2019

  
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WALTER H. RICE  
UNITED STATES DISTRICT JUDGE